

#29
CO
11/14/02
Ext (1)

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 113.410US
In re Application of Subramanian et al.		
Application Number: 09/373,333		Filed: August 12, 1999
For DNA Shuffling to Produce Herbicide Selective Crops		
Group Art Unit 1655	Examiner D. Johannsen	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above-identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input checked="" type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$ 110
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$ 400
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$ 920
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1440
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$1960

☐ Applicant is a small entity under 37 CFR 1.9 and 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.

A small entity statement under 37 CFR 1.27:

☐ Is enclosed.

☐ has already been filed in this application.

☐ A check in the amount of the fee is enclosed.

☒ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-0990. *I have enclosed a duplicate copy of this sheet.*

I am the ☐ assignee of record of the entire interest.

☐ applicant.

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a)
Registration number if acting under 37 CFR 1.34(a): _____

Date

July 2, 2002

Signature

Christopher M. Holman 40.021

Typed or printed name and Reg. No.

11/14/2002 CDESSAU 00000001 500990 09373333

01 FC:1251

110.00 CH

MAXYGEN

Intellectual Property
515 Galveston Drive
Redwood City, California 94063
USA

Telephone: (650) 298-5300

Facsimile: (650) 298-5446

WARNING: THIS FACSIMILE MESSAGE AND ANY ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED HEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, COPYING, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED HEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ADDRESS TO THE LEFT. WE WILL REIMBURSE ANY REASONABLE EXPENSES ACTUALLY INCURRED. THANK YOU.

FACSIMILE COVER SHEET

Date: October 31, 2002

Page(s): 28

Fax No: (703) 746-5064

To: Examiner Diana Johannsen
United States Patent and Trademark Office

From: Christopher M. Holman

RE: U.S. Patent Application No. 09/373,333

Attached please find the following documents relating to the subject patent application:

- 1. Additional Copy of Previously Transmitted Correspondence;**
- 2. Communication Result Report (showing successful transmission);**
- 3. Copy of Transmittal Form;**
- 4. Copy of Petition for Extension of Time; and**
- 5. Copy of Amendment.**

Please contact Diana Schaller at (650) 298-5864 if you have any problems receiving this transmission.

OCT-31-2002 12:11

FROM-MAXYGEN

6502985446

T-681 P.002

F-320

PATENT
Atty. Docket No: 0113.410US
USSN 09/373,333

I hereby certify that this correspondence is being facsimile transmitted to the
U.S. Patent and Trademark Office (Fax No. (703)746-5064)
on October 31, 2002
By: DIANA M. SCHALLER
Signature: Diane M. Schaller

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Subramanian et al.

Application No.: 09/373,333

Filed: August 12, 1999

For: DNA Shuffling to Produce Herbicide
Selective Crops

Examiner: D. Johannsen

Art Unit: 1655

**ADDITIONAL COPY OF
PREVIOUSLY TRANSMITTED
CORRESPONDENCE**

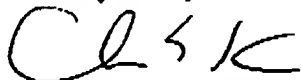
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

On October 31, 2002, the undersigned was informed by the Examiner that she had not received a response to the Office Action mailed March 18, 2002 in connection with the above-referenced application. The Examiner was informed that a response and certificate of transmission was filed by telefacsimile on July 2, 2002. The Examiner asked that Applicant resubmit an additional copy of the previously transmitted correspondence to her direct telefacsimile number. A copy of the previously transmitted correspondence, including a Communication Result Report showing successful transmission on July 2, 2002, a transmittal form, petition for extension of time, and the amendment, are submitted herewith.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0990.

Respectfully submitted,



Christopher M. Holman
Reg. No. 40,021

* * * COMMUNICATION RESULT REPORT (JUL. 2. 2002 3:49PM) * * *

TTI

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
6846 MEMORY TX		917038729306	OK	25/25

REASON FOR ERROR
 E-1) HANG UP OR LINE FAIL
 E-3) NO ANSWER

E-2) BUSY
 E-4) NO FACSIMILE CONNECTION

Please type a plus sign (+) inside this box → ☐

(Modified) PTO/SB/21 (6-98)
 Approved for use through 09/30/2000. OMB 0651-0031
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

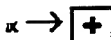
Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

+

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/373,333	
	Filing Date	August 12, 1999	
	First Named Inventor	Subramanian	
	Group Art Unit	1655	
	Examiner Name	D. Johannsen	
Total Number of Pages in This Submission	25	Attorney Docket Number	113.410US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/80) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
		Copy of IDS IDS originally

Please type a plus sign (+) inside it

Approved for
Patent and Trademark Officethrough 09/30/2000. OMB 0651-0031
U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

25

Application Number

09/373,333

Filing Date

August 12, 1999

First Named Inventor

Subramanian

Group Art Unit

1655

Examiner Name

D. Johannsen

Attorney Docket Number

113.410US

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
☐ Fee Attached
☒ Amendment / Response
☐ After Final
☐ Affidavits/declaration(s)
☒ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Response to Missing Parts/Incomplete Application
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation Change of Correspondence Address
☐ Terminal Disclaimer
☐ Small Entity Statement
☐ Request for Refund

- ☐ After Allowance Communication to Group
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ Additional Enclosure(s) (please identify below):

Copy of IDS IDS originally filed April 5, 2002

Authorization to Charge Deposit Account
 Please charge Deposit Account No. 50-0883 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Christopher M. Holman Reg. No.40,021

Signature

Date

July 2, 2002

CERTIFICATE OF

FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office (Fax No. (703)872-9306) on this date: July 2, 2002

Typed or printed name

Christopher M. Holman

Signature

Date

July 2, 2002